

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

NATIONAL EDUCATION
ASSOCIATION; *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION; *et al.*,

Defendants.

Case No. 1:25-cv-00091-LM

**JOINT STIPULATION REGARDING BRIEFING SCHEDULE ON PARTIES’
MOTIONS FOR SUMMARY JUDGMENT/ DEFENDANTS’ MOTION TO DISMISS
AND MOTION FOR PAGE LIMIT EXTENSIONS**

The parties hereby submit this joint stipulation regarding a briefing schedule for Plaintiffs’ Motion for Summary Judgment and Defendants’ Cross Motion for Summary Judgment/ Motion to Dismiss. As the parties are jointly seeking extensions of the page limits set forth in Local Rules 7.1(a)(3) and 7.1(e)(1), the parties also are seeking leave to file such briefs at the agreed-upon length listed below.

The Government stipulates that there is no administrative record in this matter and the parties agree that discovery is not necessary.

The parties have agreed to the following briefing schedule and page limits:

- Plaintiffs’ Motion for Summary Judgment: **Tuesday, June 10, 2025** (55 pages)
- Defendants’ Combined Opposition, Cross Motion for Summary Judgment, Motion to Dismiss: **Thursday, July 10, 2025** (55 pages)

- Plaintiffs' Opposition/ Reply: **Friday, July 18, 2025** (25 pages)
- Defendants' Reply: **Friday, July 25, 2025** (25 pages)

The parties further agree that the time for Defendants to file a response to the Second Amended Complaint be extended to a point in time after the Court resolves the Cross Motions for Summary Judgment, in the event that its ruling does not finally dispose of all issues.

WHEREFORE, the parties respectfully request that this Court:

- Enter this stipulation to a four-brief schedule in which Plaintiffs file on June 10, 2025, Defendants on July 10, 2025, Plaintiffs on July 18, 2025, and Defendants on July 25, 2025.
- Grant this motion to extend page limits with respect to the summary judgment briefs that are scheduled above.
- Enter this stipulation that there is no administrative record and discovery is not necessary.
- Enter this stipulation to extend Defendants' time to respond to the Second Amended Complaint to a time following resolution of the parties' Cross-Motions for Summary Judgment.

May 12, 2025

Respectfully submitted,

Sarah Hinger*
Amanda Meyer*
Alexis Alvarez*
Leah Watson*
Ethan Herenstein*
Victoria Ochoa*
Sophia Lin Lakin*
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004
(212) 519-7882
shinger@aclu.org

/s/ Gilles R. Bissonnette
Gilles R. Bissonnette (N.H. Bar No. 265393)
Henry R. Klementowicz (N.H. Bar No.
21177)
SangYeob Kim (N.H. Bar No. 266657)
American Civil Liberties Union of New
Hampshire
18 Low Avenue
Concord, NH 03301
(603) 224-5591
gilles@aclu-nh.org

Megan C. Keenan*
American Civil Liberties Union Foundation
915 15th Street NW
Washington, DC 20001
(740) 632-0671
mkeenanaclu.org

Alice O'Brien*[†]
Jason Walta*[†]
Phil Hostak*[†]
NEA Office of General Counsel
National Education Association
1201 16th Street NW
Washington, DC 20036
(202) 822-7035
aobrien@nea.org

Rachel E. Davidson*
American Civil Liberties Union Foundation
of Massachusetts, Inc.
One Center Plaza, Suite 801
Boston, MA 02018
(617) 482-3170
rdavidson@aclum.org

Callan E. Sullivan[†] (N.H. Bar No. 20799)
Lauren Snow Chadwick[†] (N.H. Bar No.
20288)
National Education Association-New
Hampshire
9 South Spring Street
Concord, NH 03301
(603) 224-7751
csullivan@nhnea.org

**admitted pro hac vice*

*[†]appearing only on behalf of NEA, NEA-NH,
and Center for Black Educator Development*

CHAD MIZELLE
Acting Associate Attorney General

ABHISHEK KAMBLI
Deputy Associate Attorney General

YAAKOV M. ROTH
Acting Assistant Attorney General
Civil Division

DIANE KELLEHER
Director
Civil Division, Federal Programs Branch

/s/ Eitan R. Sirkovich
EITAN R. SIRKOVICH
Trial Attorney, U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, N.W.
Washington, D.C. 20005
Telephone: (202) 353-5525
E-mail: eitan.r.sirkovich@usdoj.gov

Counsel for Defendants